

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY
APPROPRIATIONS SUBCOMMITTEE**

Room 25 House Office Building
February 26, 2013

MEMBERS PRESENT: Sen. David Hinkins, Co-Chair
Rep. John G. Mathis, Co-Chair
Rep. Mike McKell, House Vice Chair
Sen. Jim Dabakis
Sen. Margaret Dayton
Sen. Ralph Okerlund
Sen. John L. Valentine
Sen. Kevin T. Van Tassell
Rep. Jerry Anderson
Rep. Roger E. Barrus
Rep. Susan Duckworth
Rep. Brian Greene
Rep. Michael E. Noel
Rep. Lee B. Perry
Rep. Jon Stanard
Rep. Larry B. Wiley

MEMBERS ABSENT: Rep. Ken Ivory

STAFF: Mr. Ivan Djambov, Fiscal Analyst
Ms. Angela Oh, Economist
Ms. Linda Service, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Hinkins called the meeting to order at 5:25 p.m.

MOTION: Rep. Noel moved to approve the minutes of February 12, 2013. The motion passed unanimously with Rep. Mathis and Rep. Stanard absent for the vote.

MOTION: Rep. Noel moved to adopt the base budget for the agencies in the Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee as included in S.B. 5, *Natural Resources, Agriculture, and Environmental Quality Base Budget*. The motion passed unanimously with Rep. Mathis and Rep. Stanard absent for the vote.

MOTION: Rep. McKell moved to approve the federal funds as presented by the Fiscal Analyst in Issue Briefs "Agriculture and Food - Federal Funds," "Natural Resources - Federal Funds," "Office of Energy Development - Federal Funds," and "Department of Environmental Quality Federal Funds." The motion passed with Sen. Dabakis, Sen. Dayton, Sen. Valentine, Rep. Anderson, Rep. Greene, Rep. Noel, and Rep. Wiley voting in opposition to the motion.

MOTION: Sen. Van Tassell moved to approve the fees as presented by the Fiscal Analyst in the various fee issue briefs with the following change: eliminate the fees titled "Annual UPDES Pesticide Applicator Fee" found on page 15 of the Issue Brief "Department of Environmental Quality - Fees." The motion passed unanimously.

MOTION: Rep. Barrus moved to approve the Intent Language as listed on pages 3-6 of the voting packet with the exception of a change in Item#16, Public Lands Office, to read: "Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for Public Lands Policy Coordination Office in Item 23, Chapter 6, Laws of Utah 2012, shall not lapse at the close of FY 2013. Expenditures of these funds are limited to litigation expenses \$600,000."

SUBSTITUTE MOTION: Sen. Valentine moved that the Division of Parks and Recreation issue a RFP for the private operation of either, each, or all of the state's four golf courses for FY 2014.

MOTION: Rep. Mathis moved to divide the motion to approve Intent Language Items #1 through #17 with the above two changes. The motion passed with Rep. McKell voting in opposition.

MOTION: Sen. Hinkins moved to approve Intent Language Items #18 through #27 with a change in #26, Department of Agriculture and Food, to read: "The Legislature intends that the Department of Agriculture and Food shall allocate at least \$125,000 to its Utah's Own Program in FY 2014." The motion passed unanimously.

MOTION: Rep. Mathis moved to divide the Agriculture Administration line item into three separate line items, and divide the current programs with their existing funding as shown on the table on page 7 of the voting packet.

SUBSTITUTE MOTION: Sen. Valentine moved to adopt the line items on page 7 with the intent that the Department of Agriculture be able to move expenditures between the line items for FY 2014. The motion passed with Rep. Mathis voting in opposition to the motion.

MOTION: Sen. Van Tassell moved to approve request for funding of Item #6, Non-General Fund Increases, as listed in the table on page 8 of the voting packet with the motion to pass \$1,950,000 of "One Time Operations" funding for Parks to "Ongoing" funding for FY 2014. The motion passed unanimously.

MOTION: Rep. McKell moved to approve Item #7, General Fund Reallocations, as presented on page 9 of the voting packet. Ms. Kimm Hardy, Deputy Director, Utah Geological Survey, responded to comments from the subcommittee. The motion passed unanimously.

MOTION: Rep. Wiley moved to move Item #12, "Integrated Water Management Model" to Item #6 and renumber accordingly on the General Fund Increases, Priority List for EAC.

SUBSTITUTE MOTION: Rep. Perry moved to add a new item on page 10, One-Time General Fund Requests, titled "Fire Dispatch Centers" with \$450,000 for FY 2014 and place it on Item #6. Mr. Dick Buhler, Director, Division of Forestry, Fire and State Lands, responded to comments from the subcommittee.

SUBSTITUTE MOTION: Rep. McKell moved to add a new item on page 10, One-Time General Fund Requests, titled "Fish Meal Plant" with \$2,900,000 as Item #14.

Sen. Valentine requested division on the motion to vote on each item that was moved.

A vote was taken on Rep. Wiley's motion to move Item #12, "Integrated Water Management Model." The motion failed.

A vote was taken on Rep. Perry's motion to add a new item on page 10, "Fire Dispatch Centers." The motion passed with Sen. Dabakis, Rep. Barrus, Rep. Duckworth, Rep. Noel, and Rep. Wiley voting in opposition to the motion.

A vote was taken on Rep. McKell's motion to add a new item on page 10, "Fish Meal Plant." The motion failed.

MOTION: Rep. Noel moved to move \$1,000,000 for the Public Lands Policy Coordination Office to Item #5 of the One-Time General Fund Requests. The motion passed unanimously.

MOTION: Rep. Wiley moved to move Item #13, " Integrated Water Management Model," to Item #10.

SUBSTITUTE MOTION: Sen. Valentine moved to approve the original One-Time General Fund Requests with Item #8 as amended by Rep. Noel's motion to move \$1,000,000 to Item #5. The motion passed with Sen. Dabakis, Rep. Duckworth, and Rep. Wiley voting in opposition to the motion.

MOTION: Rep. Noel moved to move Public Lands Coordination Office Item #5 of Ongoing General Fund Requests to Item #3 and approve the Ongoing General Fund Requests. Mr. Harry Souvall, Section Chief, Public Lands Section, Attorney General's Office, and Kathleen Clarke, Director, Public Lands Policy Coordination Office, responded to comments from the subcommittee. The motion passed unanimously with Sen. Dayton and Rep. Mathis absent for the vote.

MOTION: Rep. Noel moved to include \$70,000 for the School and Institutional Trust Lands Administration's budget to Non-General Fund Increases to classify all remaining positions to "at will" positions.

MOTION: Sen. Valentine moved to reconsider action on Non-General Fund Increases. The motion passed unanimously.

MOTION: Sen. Valentine moved to include \$70,000 for the School and Institutional Trust Lands Administration on the Ongoing FY 2014 from their own Non-General Fund source. Ms. Margaret Bird, Utah State Office of Education, responded to the motion. The motion passed unanimously.

MOTION: Sen. Valentine moved to adopt the Non-General Fund Increases on page 8 as amended. The motion passed unanimously.

MOTION: Rep. Perry moved to send a letter to the Division of Forestry, Fire, and State Lands, under the signature of the co-chairs, to take legal action to recover delinquent amounts from cities who are unwilling to pay for fire suppression costs. The motion passed unanimously with Sen. Dayton absent for the vote.

MOTION: Rep. Perry moved to adjourn. The motion passed unanimously. Chair Mathis adjourned the meeting at 6:50 p.m.

Sen. David Hinkins, Co-chair

Rep. John G. Mathis, Co-chair